

APR 23 2002

COPY OF PAPERS
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Docket # 15611-7032/CGAB-210-USA

1652

TECH CENTER 1600/2900
[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231.

Dated: April 12, 2002

Name of Person Certifying: *David W. Maher*
Printed Name: David W. Maher

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RECEIVED
APR 25 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Deborah KNUTZON, *et al.*

Assignee: Calgene, Inc./Abbott Laboratories

Filing Date: August 5, 1999

Examiner: N. Nashed

Serial No.: 09/367, 013

Group Art Unit: 1652

Title: Methods and Compositions for Synthesis of Long Chain Polyunsaturated Fatty Acids

Commissioner for Patents
Washington, D.C. 20231

RESPONSE & FEE TRANSMITTAL

Sir:

In response to the Office Action mailed on October 12, 2001, enclosed herewith for filing are the following:

- A Response/Amendment [10] page(s)
- A Response to Restriction Requirement under 35 USC § 121 [] page(s)
- An Amendment Under 37 CFR § 1.111 [] page(s)
- An Amendment Under 37 CFR § 1.116 [] page(s)
- Other _____ [] page(s)

Also included are:

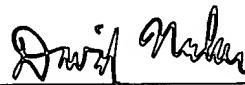
- A Petition for Extension of Time [3] months [1] page(s)
- Information Disclosure Statement
[] page(s) of PTO-1449 [] copies of IDS citations
- Applicant(s) claim Small Entity Status under 37 CFR § 1.27.
- Return Postcard

Fee Calculation							
<input checked="" type="checkbox"/> The following fees are submitted:						CALCULATIONS	
EXTRA CLAIMS FEE				OTHER THAN SMALL ENTITY	SMALL ENTITY		
CLAIMS	CURRENT #	# OF CLAIMS PREVIOUSLY PAID	# EXTRA	RATE	RATE		
Total Claims	123 - 20	124	0	× \$18.00	× \$9.00	\$	
Independent claims	10 - 3	11	0	× \$84.00	× \$42.00	\$	
MULTIPLE DEPENDENT CLAIM(S)							
<input type="checkbox"/> Yes <input type="checkbox"/> No				\$280.00	\$140.00	\$	
Petition for Extension of Time Fee (3 months)						\$ 920.00	
OTHER FEES _____ (specify)						\$	
						TOTAL FEES =	\$ 920

- Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered.
- Please charge Deposit Account No. 50-1189, Docket No. 15611-7032, in the amount of \$920.00 to cover the above-fees. *A duplicate copy of this sheet is enclosed.*
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1189, Docket No. 15611-7032. *A duplicate copy of this sheet is enclosed.*

DATE: April 12, 2002

Respectfully submitted,

By: 
 David Maher
 Registration No.: 40,077

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~~PATENT & TRADEMARK OFFICE~~ Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Commissioner for Patents and Trademarks, Washington D.C. 20231.

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Washington, D.C. 20231

RESPONSE/AMENDMENT

17/D
M.Q.J
4/29/02

In response to the Office Action of October 12, 2001, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks. A three month extension of time is requested.

IN THE CLAIMS

Please cancel claims 65-160 and 187 without prejudice to pursuit in a subsequent application.

Please add the following claims:

Subj E45

--189. A method for producing a microbial cell with an altered fatty acid profile comprising:
culturing a microbial cell comprising a recombinant nucleic acid comprising the sequence depicted in SEQ ID NO: 1, said nucleic acid operably linked to transcription and translation control signals functional in said cell, wherein a polypeptide encoded by said nucleic acid is expressed in sufficient amount in said cell to alter the fatty acid profile of said cell.

190. The method of claim 189, wherein said cell is a fungal cell.

191. The method of claim 190, wherein said fungal cell is a yeast cell.